

place on fire in 2013, that that was what it was going to produce and that the exact same thing would happen on the legislative calendar with the supposed one-time carve-out for the legislative filibuster.

Let's remember what this institution is for. What the Senate is supposed to be about is we are supposed to be the one part of Congress and the one part of the American Government that thinks beyond a 24-month window. It is the job of the people who serve in this body—only 100 people right now and only, I think, 2,100 people across 230-some years of U.S. history. Only 2,000 people have had the honor of serving our States in this body. It is supposed to be our job to take the long-term view, not just 24 hours of Twitter. We are supposed to think beyond the 24 months of the next election. That is what our job is supposed to be.

There are a lot of people around this place who apparently can't think beyond 24 hours right now. That is their right, but they shouldn't be Senators because the purpose of this place is supposed to be to take a long-term view.

Some of my colleagues are convinced that Americans are polarized because Congress doesn't act more or faster, and they think that the solution is, supposedly, to eliminate the filibuster. They are kidding themselves. That would not extinguish the fires of red-hot tribalism in this country. It would throw gasoline on them. Addressing the real tribal disease in America requires a Senate that becomes less tribal, not more tribal.

Senator SINEMA's speech should be commended to every Member of this body to go back and read. She said there are two fundamental questions before us today. One is, Where does the descent into tribalism in this institution ultimately land? And what can each of us do to stop that?

Those are the two big questions that she said should be before us today.

Getting rid of the filibuster means this: It means that you turn one razor-thin majority imposing its will on the American people and on legislation into a pendulum-swinging, another razor-thin majority, 24 months later, that sweeps all of that aside and jerks the American people around to the opposite legislation of what was just passed 50-50—51-50 in today's Senate. And all of it flips 11 months from now, and the legislation all gets undone, and new legislation gets put in place.

Do you really think regular folks in New Jersey and Nebraska want that? Hardly any of them want that.

Imagine what the current situation would look like if you have that federally imposed whiplash on our most sensitive issues inside every 24 months. We think tribalism is bad now. I guarantee you can make it worse. And eliminating the filibuster accelerates that descent into tribalism.

There is a place, of course, where simple majorities rule. It is right down

that hallway. We have a House of Representatives already. Does anybody want to make the argument that that place is healthier than we are because it is a simple majoritarian body? No, it is plain to see, in an age of hyperpartisanship and social media grandstanding, that the House is being more and more ruled by demagogues and dolts. That is not what the Senate is called to do.

The Senate is supposed to be a different place. The Senate is supposed to be the place where passions are tempered and refined by people who are responsible for thinking beyond our next election, which is why every election cycle in America only has one-third of Senators even up for reelection. That is the whole reason we have 6-year terms. If I had my will, I could be King for a day and write some constitutional amendments and pass them. I would have a single 12-year Senate term, and everybody would be out of here. It is a little bit longer than 6 years, but one term, no reelection, and get back to life, go back to serving in your community.

If you get rid of the filibuster, you will turn the Senate into the House, and you will ensure that this body, too, ends up consumed by demagogues, conspiracists, and clowns. That is what will happen in this body. The American people don't have time for that crap. Nobody wants that.

Americans don't want one-party rule, by the Democrats or by the Republicans. Both of these parties are really crappy. The American people are not fans of these political parties.

Getting rid of the filibuster means you don't have to try to talk to people on the other side of the aisle and get to a 60-vote threshold for legislation or a 67-vote threshold for rules changes. It means that one of these two terrible parties gets to do a lot more stuff a lot faster that will inevitably be incredibly unpopular with the American people.

The American people do not want revolution. They do not want fundamental change. What they want is competence. What they want is more honesty. What they want is less performative grandstanding.

Institutions like the Senate provide frameworks and processes for competent, responsible self-government, for more honesty. We are not living up to it right now, but we could live down to something worse, and ending the filibuster would accelerate that. It would accelerate tribalism. It would accelerate people following Senators into bathrooms, screaming at them, trying to bully them. It will not lead to more productive, compromise legislation that tries to bring along a larger share of the American public.

The rules and the norms of this place have been built up over a very long time, and they exist to discourage demagoguery. Putting cameras in every room we are in around here tries to undermine so much of what the Senate is

about. I am for lots of transparency. I am for pen-and-pad reporters everywhere. But the cameras we have put in this place have encouraged so much demagoguery. That is so much of the problem of why we have so much tribalism here and tribalism more broadly in the country.

And if you eliminate the filibuster, you accelerate all those most destructive, short-term performative trends. You encourage more rank partisanship, and you discourage consensus, compromise, and collaboration.

Friends, please do not—like the President did in Georgia this week—surrender to the angriest voices on social media in the mistaken belief that they reflect the majority of America. They don't. They reflect the majority of Twitter.

Political Twitter is like the ninth most popular topic on Twitter. K-pop music is exponentially more popular on Twitter than politics. The share of Americans paying attention to political Twitter bounces around between one-tenth and one-sixth. And something like 80 percent of all political tweets come from under 2 percent of the public. We should remind ourselves of that again, and again, and again, because there are people here who regularly mistake Twitter with reality and with the American public. We are called to serve the American public. We are not called to serve rage-addicted people on social media.

Now, perhaps more than ever, it is our job to stop giving ear to political arsonists who would burn down our institutions and intensify our divisions. Now is the time for us to think together over the long-term how we renew those institutions.

The filibuster is a part of what can lead us to broader consensus, and eliminating the filibuster will accelerate the political arson around this place and across our land.

Senate, we can do better.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:21 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. DURBIN).

## PROTECTING EUROPE'S ENERGY SECURITY IMPLEMENTATION ACT—Continued

The PRESIDING OFFICER. The Senator from Texas.

S. 3436

Mr. CRUZ. Mr. President, in a few minutes, the Senate is going to take a vote of incalculable importance to our national security, to the future of our allies in Europe, and to the very existence of the nation of Ukraine.

Right now, Vladimir Putin has assembled over 100,000 troops on the border of Ukraine. More troops and more

weapons are arriving every day. Putin yearns to reassemble the old Soviet Union. Putin would see Ukraine wiped off the face of the map.

This is not the first time that the people of Ukraine have had to face down Russian aggression and authoritarianism. Throughout the Cold War and through their independence in 1991, millions of Ukrainians died as they struggled for independence from the Soviet Union and from Soviet Russia.

In 1994, the United States signed the Budapest Memorandum on Security Assurances. We committed—the United States of America committed—to ensuring Ukraine's territorial integrity in exchange for Ukraine voluntarily giving up the world's third largest nuclear arsenal, which it had inherited following the collapse of the Soviet Union. That was our commitment, and it is now our national obligation.

Russia, of course, also signed the Budapest Memorandum. Nevertheless, in 2014, thousands of Ukrainians died when Putin invaded Ukraine.

Putin only stopped short of a full invasion because he couldn't endanger the Ukrainian energy infrastructure, which he needs to get Russian gas to Europe. He now believes that Nord Stream 2 is a done deal, thanks to President Biden's catastrophic surrender and waiving of the mandatory sanctions passed by Congress.

Putin sees Nord Stream 2 as an alternate route to get his gas to Europe that Ukraine cannot touch, and so he has moved to complete what he couldn't do in 2014. When President Biden waived the sanctions on this Russian pipeline, the governments of Ukraine and Poland warned then that the result would be Russian troops on the border of Ukraine and an imminent invasion. They were right.

In recent weeks, the people of Ukraine and their government—the President, the Prime Minister, the Speaker of the Parliament—they have all called on this body to fulfill the commitment that we made to their nation. They have explicitly and repeatedly called upon the U.S. Senate to pass this bill before us, imposing immediate sanctions on Nord Stream 2.

None of us can know if that will change Putin's calculation, but we must acknowledge, as the people of Ukraine have pleaded with us to understand, that it is the only thing that can do so.

That is why today, in just a few minutes, we will have one last chance to stop the pipeline that Putin built so he can invade Ukraine. For 2 years, this body has had bipartisan consensus and unanimity on standing up to Russia on stopping Nord Stream 2. It is only with a Democrat in the White House that suddenly scores of Democrats have decided partisan loyalty is more important than standing up to Russia; partisan loyalty is more important than stopping Putin; partisan loyalty is more important than standing with our

European people allies. And, I would note, ironically, the White House's lead talking point is "transatlantic unity." When the Parliament voted on Nord Stream 2, it voted to condemn and shut down Nord Stream 2 by a vote of 581 to 50—581 to 50. The White House is saying: Stand with the 50. Stand with 9 percent of the European Parliament against 91 percent of the European Parliament.

That makes no sense, and no Democrat uttering those talking points believes it. But there are too many Democrats who are deciding partisan loyalty matters more than standing with our allies. Partisan loyalty means more than standing with our European friends. Partisan loyalty means more than honoring our treaty commitments. Partisan loyalty matters more than protecting the national security of the United States.

For 5 years, Democrats have uttered the words: Russia, Russia, Russia. We will now learn whether they meant those words when they said them, or was that simply animus for President Trump?

We should stand together. If a Republican were in the White House, every Democrat in this Chamber would vote to sanction Nord Stream 2. The only reason not to do so is because, for some Democrats, partisan loyalty matters more than standing up to Russia or defending our national security.

Let me, finally, say: If the Senate votes down these sanctions in just a few minutes, it will effectively give a green light to Putin. That is what the leaders of civil society in Ukraine have told us. And if, as a result of the Senate's vote, the Democrats vote with Russia, with Putin, we may well see in the days or weeks or few months ahead Russian tanks in the streets of Kiev. And every Senator—Democrat or Republican—will remember this moment, this moment we had to stop the Russian invasion of Ukraine. And those Senators who put our obligations to our friends, our obligations to our Nation, our obligations to security above partisan loyalty, they will remember that. And those Senators that didn't, they will remember that.

The eyes of history are on the Senate. There are moments, particularly dealing with war and peace, when the consequences of our actions echo throughout the days. This moment is one of them.

I yield the floor.

The PRESIDING OFFICER (Mr. VAN HOLLEN). The Senator from Idaho.

Mr. RISCH. Mr. President, I ask unanimous consent that I be allowed to speak for up to 5 minutes, followed by Senator MENENDEZ to speak for up to 10 minutes, before the scheduled roll-call vote.

The PRESIDING OFFICER. Is there objection?

Mr. MENENDEZ. Reserving the right to object, I am sorry, I didn't hear the unanimous consent request.

Mr. RISCH. I think it was just a minute or 2 for you and the rest for me, Senator.

Mr. MENENDEZ. And I object to that.

Mr. RISCH. I would ask for 5 minutes for myself and 10 minutes for yourself. Is that sufficient?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RISCH. Mr. President, fellow citizens, I rise today to speak on behalf of the Cruz-Risch Nord Stream 2 bill, which is designated as S. 3436. To start with, it is important to note that this bill has language which is almost identical to the bipartisan language that was contained in the House-passed National Defense Authorization Act. Both bodies passed this language. It was, unfortunately, taken out in the conference of that bill before it went to the White House. But now, this language is back before us in this bill. And what it would do is it would immediately sanction Nord Stream 2—Putin's premier energy weapon against Europe and Ukraine, particularly.

The timing could not be more important. Ukraine stands on the brink of invasion, and Europe is in the throes of an energy crisis created by Russia. There is a reason Ukraine's President Zelensky tweeted an urgent request in December for all friends of Ukraine and Europe in the U.S. Senate to back these sanctions. That request is before us at this moment.

We are now seeing the consequences of the administration's decision to waive P.E.E.S.A. sanctions and the refusal to impose CAATSA sanctions. Months ago, the administration set the stage for this mess on Ukraine's border and emboldened Putin.

Russia has deliberately cut gas transmission to Europe through Ukraine and is using high energy prices to pressure the European Union into approving Nord Stream 2 as quickly as possible. Putin has publicly stated that fact.

Meanwhile, Russian forces continue their buildup along the border with Ukraine in preparation for what could be a full-scale invasion. Clearly, the administration's efforts have failed to signal credibility and resolve and have not deterred Putin from continuing along the path to war.

U.S. diplomacy needs additional action, not just rhetoric, to stop a Russian invasion. And these sanctions would provide that by putting Congress in charge of waiver authority. A vote for these sanctions will provide credibility to our threat, sending a strong message to Putin.

Remember, Nord Stream 2 is designed to replace Ukraine's gas transit system, meaning Russia no longer has to worry about destroying its own infrastructure in the event of a full-scale war. We must not allow Putin's blackmail to succeed.

Nord Stream 2 has always been a bipartisan issue here in the Senate, and it should continue to be. Not a single Member of Congress supports the completion of this pipeline. I would like to think a similar number of us feel we

should not ignore our friends in Europe, particularly Central and Eastern Europe, who stand to lose the most from Nord Stream 2.

Our bill would impose mandatory sanctions against Nord Stream 2 AG, the company responsible for the project, as well as the companies involved in testing and certifying the pipeline before it becomes operational.

We do provide the administration with a pathway to lifting these targeted sanctions, pending congressional review. This pathway is the exact same process for congressional input that 98 Senators voted for in CAATSA, just a few years ago. The time to act is now. I urge my colleagues to vote in favor of this bill.

I yield the floor.

Mr. CARDIN. Mr. President, I rise today to condemn the enormous Russian military buildup on the Ukrainian border, and the Kremlin's reckless policies of coercion as it seeks to reimpose a new iron curtain on the European continent. Moscow wants to secure an unwarranted sphere of influence that would enable Russia to determine by fiat the fate and the policies of other sovereign state—most immediately in Ukraine, whose people and government desire further integration into Europe and trans-Atlantic institutions.

Make no mistake about it—the Putin regime's actions threaten not only our friends in Ukraine. They are also an assault on the principles of the Helsinki Final Act, the foundation of European security, which today is enshrined in the Organization on Security and Cooperation in Europe, the OSCE.

I want to commend President Biden and his very capable diplomatic team for the sustained effort they have embarked upon to rally our friends and allies—in NATO and the European Union and across the OSCE—to present a united front against Vladimir Putin's mounting aggression.

Russia has in recent months amassed over 100,000 troops and heavy weaponry on Ukraine's borders, with many more poised to join them, and have openly threatened war if its demands are not met. The Kremlin is also waging a propaganda war preparation strategy for the Russian people by broadcasting false claims that Ukraine poses a threat to Russian interests and sovereignty.

At the barrel of a gun, the Kremlin has demanded not only that the United States and NATO close its open doors to partners like Ukraine and Georgia—a strategic nonstarter on its own—but also that the Alliance security umbrella and even material security assistance be retracted to pre-1997 borders, essentially reducing NATO to its frontiers as of 1991.

In other words, Mr. Putin insists that the United States and its Euro-Atlantic allies remove any means of securing or guaranteeing the defense of sovereign states that happen to lie near Russia. Such demands are outrageous, dangerous, and impossible to accept.

In this troubling time, acquiescence to Russian aggression is not an option. I support this administration's approach to unite with our European allies and categorically refuse to give into the Kremlin's ruthless militarism. I also support negotiating in good faith to see if we can find a realistic solution with respect to arms control, confidence-building measures, and the like—while making it clear to Mr. Putin that the freedom and sovereignty of Europe are not on the table.

The diplomatic engagements that have taken place in Europe in recent days, in several concentric circles, have demonstrated remarkable unity among our allies, and have clarified for Russia the costs they would incur in the event of any further aggression against Ukraine.

This is thanks to the Biden administration's sophisticated campaign to reclaim American leadership in world affairs.

One hopes the Kremlin has heard the messages that we and our allies have sent to Moscow. Under the looming shadow of Russian mass mobilization and martial rhetoric, however, we should suffer no illusions. Mr. Putin's goal is domination, and there is no room to give on that score.

Unfortunately, we find ourselves here today on the floor of the United States to consider a measure, which the Senator from Texas has introduced, that threatens to undermine the American effort to mobilize the Western world's coalition to stand up to Russia at this critical moment. We are here to debate, yet again, how to deal with Nord Stream 2, the ill-conceived natural gas pipeline between Russia and Germany that promises to weaken Ukraine's economic and security situation while it strengthens Russia's leverage over Western Europe.

In the 116th Congress, we voted to condemn and to sanction those involved in this misbegotten enterprise—most importantly in the Protecting Europe's Energy Security Act, "PEESA", enacted in January 2021. This law imposes strong sanctions on all those involved in the construction and operation of the Nord Stream 2 Pipeline. As is customary and appropriate, the Congress also gave the Executive the authority to waive sanctions against individuals and entities when it determined to do so would be in the national security interest of the United States.

Last spring, the administration chose to exercise that waiver.

I disagreed with that decision. I have said so many times and in many contexts. I retain the hope that the pipeline will never begin operations, as I believe it would do enormous damage—not just to Ukraine—but also to Europe at large.

The administration is focused on working with Germany to implement the July 21 Joint Statement of the United States and Germany on Support

for Ukraine, Energy Security, and Our Climate Goals, which includes clear commitments to act if Russia attempts to use energy as a weapon or commit further aggressive acts against Ukraine.

Let us be clear that the bill before us would not actually accomplish what the Senator from Texas claims. It would not stop Nord Stream 2 any more than existing law does. It would not protect Ukraine any more than existing law and policy does. All this bill would do, essentially, is create a 90-day recurring cycle of revisiting the administration's exercise of the waiver authority we wrote into the law last year. And then it would create the option for a vote on a resolution of disapproval of that waiver.

At a time when we should be using our time and energy to address the mounting threat to Ukraine posed by Russia's massive buildup along their shared border, today's vote is an unnecessary distraction. Therefore, I oppose S. 3436.

The Senate should be considering serious proposals to counter Russian aggression. The chairman of the Senate Foreign Relations Committee has introduced a bill that is worthy of our time, attention, and support. The Defending Ukraine Sovereignty Act is a serious effort to address Russia's aggression toward Ukraine, which is why I am an original cosponsor of this measure.

If the President affirmatively determines that Russia has engaged in a renewed invasion or escalation of hostilities, the Defending Ukraine Sovereignty Act triggers a cascade of mandatory sanctions on Russia's political and military leadership, financial institutions, extractive industries—and Nord Stream 2.

As chairman of the U.S. Helsinki Commission and a senior member of the Senate Foreign Relations Committee, I am especially mindful and concerned about what Russia's actions and demands mean for European and international security, as well as democracy and human rights.

It is no mistake that Mr. Putin's war drums have been accompanied by a concerted regime effort to erase and rewrite the Soviet Union's cruel history; including smothering the domestic human rights network Memorial, which has so carefully and painstakingly chronicled the Soviet Union's brutal human and social toll on the people of Russia and the former Soviet Union.

Russia's intervention to suppress popular dissent and prop up the authoritarian regime in Belarus tells a similar story. Its deployment of troops just last week under the umbrella of the Collective Security Treaty Organization, the CSTO, to quell public unrest in Kazakhstan—the first time the Russian-controlled CSTO has intervened militarily in a crisis in a member state—also serves to expand Russian influence in the region. The CSTO deployment has raised concerns among

some of the Kazakhstani public, which may help to explain why the troops have started withdrawing today. The rapid deployment, however, certainly makes the government of Kazakhstan more beholden to Russia. It weakens Kazakhstan's often-touted "multi-vector" policy under which it aims to balance its relations with Russia, China, and the West.

The Putin regime has erected a corrupt police state at home, which it aggressively exports for greater domination.

A broader Russian invasion of Ukraine could easily lead to tens of thousands of deaths and threaten tens of millions more. Preventing such an outcome should be our paramount concern. Peace on Russia's stated terms would consign millions of free peoples to the Kremlin's authoritarian whims, and would shatter the fragile miracle of European peace and prosperity.

I believe we must present a strong, determined, and unified response that makes clear that Russian aggression will only further unify the continent, and complicate the Kremlin's security anxieties.

At the same time, the United States is willing, with its partners and allies, to work toward listening to the Kremlin's legitimate security concerns. Here, too, is an opportunity to make use of the OSCE's institutional powers to build consensus and lay the foundations for a durable peace.

I ask my colleagues to join me in condemning Russia's military buildup and aggressive posture in the region, and calling for Moscow to de-escalate immediately and negotiate in good faith.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that I be allowed to complete my remarks before the vote begins.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MENENDEZ. Mr. President, this is a pivotal week for the security of Ukraine. Talks are ongoing to test whether the Kremlin wants to engage in diplomacy or is intent on war, to see if the United States and our allies can pull Putin back from the brink. And if the headlines are any indication this morning, it is clear that this is an open question.

This is a critical time. There still may be a window to deter the Kremlin from deciding to invade. But we must be clear and united about what awaits Russia if it chooses the unwise path. We must send an unequivocal message: that, should Putin invade, the consequences would be devastating; that there would be steep costs to the economy and to the people of Russia if he further tramples on Ukraine's territory and independence.

That message should be sent through every channel, at every level, including by this body. And we have a chance to do just that.

The Defending Ukraine Sovereignty Act, which has in just 2 short days 39 cosponsors already, is a comprehensive response to the threat facing Ukraine. It would impose massive, crippling sanctions on multiple sectors of Russia's economy. It would impose the harshest sanctions on Putin and senior Kremlin officials themselves. It would effectively cut Russia off from the international financial system. That is the sanction that I helped devise that ultimately brought Iran, years ago, to the negotiating table.

This act also makes clear that the United States will make every effort to expedite security assistance and defense articles to help support Ukraine. And it expands our efforts to counter Kremlin aggression across the region. It says the United States will not stand for this bullying. And it makes clear that Putin has a choice to make.

But we are not voting on that comprehensive response. We are not voting on how severe the consequences should be if Putin goes down the path of invasion. Instead, we are voting on whether to sanction Nord Stream 2—as if that alone would deter Putin from re-invading, as if that alone would stop him.

Instead, sanctioning Nord Stream now at this pivotal moment would have the opposite effect of deterring Putin. It might even be the excuse Putin is looking for. Right now, the one thing we know Putin wants is for Nord Stream 2 to be operational.

Now, let's be clear. If we don't sanction Nord Stream now, that does not mean the pipeline goes online. It does not mean that Putin get his way. What it does mean is that there is leverage.

Right now, we have a new German Government that has blocked the pipeline from moving forward. Right now, that German Government is a productive partner with us on this critical issue. They are where we need them to be—working to coerce Putin not to re-invade Ukraine; making clear that if Putin advances into Ukraine, there will be no Nord Stream; working with us to strengthen and support strong deterrence; coordinating with us to enhance the impact of devastating sanctions, if we need to pull that trigger. That is where we need the German Government to be.

Sanctioning Nord Stream now, in the way that the Cruz bill would do, would not just be a sanction on Nord Stream 2 AG. The bill would sanction "any corporate officer of an entity established for or responsible for the planning, construction, or operation of the Nord Stream 2 pipeline" or a successor entity.

This broad scope would have a clear ripple effect on the entities, many of them German, and individuals, many of them German citizens, who work on the pipeline. That includes German companies involved in the pipeline, industrial sites, rail operators, port operators, and any entity associated with that deal.

So for an ally that is with us in this fight against Putin's aggression, for an ally that is standing up with us when we need them to be strong, this would be akin to a sanction on them. They have made that clear to us. Now is not the time to take that step.

Again, the pipeline today is paused. They basically stopped the regulatory process on it. At the earliest, it could be months before anything happens, depending upon what Putin does—depending upon what Putin does—and even if they allow it to move forward. Now is not the time to take off the table a key piece of leverage.

I have to address some other points I have heard some of our colleagues mention.

I listened to the Senator from Texas attempt to lay blame time and time and time again at the feet of President Biden. He has tried to blame President Biden for Nord Stream, and now he is trying to blame him for Putin's illegitimate power-grabbing and military aggression. Do you know what? I suggest he look back and review just how and when Nord Stream came to be because it wasn't President Biden who could have imposed sanctions back in 2017. It wasn't President Biden who did nothing for years while 94 percent of the pipeline was being built. It wasn't President Biden who waited until his last day in office to impose sanctions on Nord Stream. There was someone else who could have used his authority to put a stop to this malign influence project but didn't. There was someone else who could have made the Kremlin's weaponization of energy a priority but didn't.

The Senator already knows this, but how can I be so sure? Because he said so at the time. In December of 2019, he said:

I want this to be very clear, if the pipeline is completed, it will be the fault of the members of this [Trump] administration who sat on their rear ends and didn't exercise the clear power.

The fault of the Trump administration—his words—but now, magically, it is President Biden's fault. Please. A pipeline that was 94 percent complete by January of 2021—to me, that is a Trump-Putin pipeline.

It may be convenient to say that work on the pipeline stopped until Biden became President, but that is just not the case. In fact, work stopped on the pipeline for 6 months—6 months—from December of 2019 until the spring of 2020, because a company backed out of the project. But did Russia stop? No. It was working furiously to finish the job by retrofitting ships that could complete the pipeline. The moment that was done, the moment the ships were ready, pipeline construction started again.

A retrofitted Russian ship, the *Cherskiy*, showed up in Germany in May of 2020, awaiting a permit by Danish authorities. The permit was approved in October of 2020. The fact that it received a permit was sanctionable

by the then Trump administration. The Trump administration failed to act.

On December 11, Nord Stream 2 AG said that the Fortuna resumed offshore construction activities in shallow German waters. Nord Stream 2 AG was not waiting for Biden to be in office; it was acting. The Trump administration could and should have imposed sanctions under CAATSA at that point. As a matter of fact, it didn't need CAATSA; it had IEEPA sanctions it could have imposed and chose not to.

Now, look, my position on Nord Stream has been clear. I have been and remain strongly opposed to the pipeline. I supported sanction measures on the project when they could have had an impact during the Trump administration, before hundreds of miles of pipe had been completed. And President Trump had those tools. He had them. We passed them overwhelmingly, and then we gave him more tools and more sanctions. What did he do? Nothing. Not until his last day in office did he impose sanctions on Nord Stream—his very last day. So let's stop with the games. By the time the Biden administration took office, the pipeline was 94 percent complete—94 percent.

Senator CRUZ wants to stop the pipeline, and so do I, but it is far from clear that sanctions at this point, when the pipeline is already built, will do just that. In fact, it isn't clear to me at all that the Senator's proposal would even change the status quo. Instead, it would most certainly tie up this body and this floor so that we would be voting time and time again on resolutions of disapproval related to Nord Stream.

Now, of course, I get it. I get it. I understand why the Senator would rather tie up this floor and hamstring the President's agenda instead of voting on nominees or voting rights or Build Back Better or judges or a whole host of other critical elements before the country. But that is the reality of the Senator's proposal.

So I ask my colleagues, what is the urgent threat that needs addressing? Is it attempting to score political points and tie this President's hands intentionally and internationally or is it addressing the very real and potentially imminent threat amassing along Ukraine's border?

I believe we need to address the real threat and the whole threat facing Ukraine and the region, and that is why I drafted the Defending Ukraine Sovereignty Act.

I have stood up for and alongside Ukraine time and time again in the face of Ukraine's aggression. In 2014, I was in Ukraine right after Russia's invasion took place. After Russia's illegal occupation of Crimea, I drafted the Ukraine Freedom Support Act, which passed into law, to impose sanctions on Russia and increase support for Ukraine. In 2016, I introduced the STAND for Ukraine Act to help restore Ukraine sovereignty and territorial integrity in the face of Kremlin aggression.

I will continue to ensure that the United States does all it can to help Ukraine defend itself against Putin's bullying, to provide the assistance it needs, to support its integrity, and to bolster its security in the region, and I urge this body to do just that.

Finally, Senator CRUZ would like to suggest that partisan loyalty is why we believe his approach at this time is wrong. What is wrong is to break the coalition we now have against Putin at one of the most critical times of Ukraine's history. Germany is a critical part with us and ally with us to deter Putin. If you end Nord Stream today—not that this legislation would—one less reason for Putin to say: Well, that is gone. Why shouldn't I invade anyhow?

I urge my colleagues to address the actual imminent threat amassing along Ukraine's border, to make clear to Putin what the massive cost of his actions will be. We might still be able to turn Putin back, but we must be laser-focused on what it will take to get him from taking one more step towards Ukraine's border.

I urge my colleagues to actually address the threat at hand, one that extends far beyond a pipeline but threatens an entire country's borders and the security of a region. It is a threat that demands a comprehensive, resounding response. That is what we will be offering in short order.

So I urge my colleagues to vote no on this approach, to make sure we keep the unity that is essential at this time to deter Putin, and to work with me to make sure that this body sends the united, strong message to deter Putin, stand with our allies, and support Ukraine.

I urge a "no" vote on the Cruz legislation.

I yield the floor.

#### VOTE ON S. 3436

The PRESIDING OFFICER. Under the previous order, all time is expired.

The clerk will read the title of the bill for the third time.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mr. MENENDEZ. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

(Ms. CORTEZ MASTO assumed the Chair.)

(Mr. WARNOCK assumed the Chair.)

(Mr. Kaine assumed the Chair.)

(Mr. OSSOFF assumed the Chair.)

(Ms. KLOBUCHAR assumed the Chair.)

(Mr. OSSOFF assumed the Chair.)

(Mr. CARDIN assumed the Chair.)

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 8 Leg.]

#### YEAS—55

Baldwin	Graham	Risch
Barrasso	Grassley	Romney
Blackburn	Hagerty	Rosen
Blunt	Hassan	Rounds
Boozman	Hawley	Rubio
Braun	Hoeben	Sasse
Burr	Hyde-Smith	Scott (FL)
Capito	Inhofe	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kelly	Sullivan
Cornyn	Kennedy	Thune
Cortez Masto	Lankford	Tillis
Cotton	Lee	Toomey
Cramer	Lummis	Tuberville
Crapo	Marshall	Warnock
Cruz	McConnell	Wicker
Daines	Moran	Young
Ernst	Murkowski	
Fischer	Portman	

#### NAYS—44

Bennet	Hirono	Peters
Blumenthal	Kaine	Reed
Booker	King	Sanders
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Lujan	Sinema
Carper	Manchin	Smith
Casey	Markey	Stabenow
Coons	Menendez	Tester
Duckworth	Merkley	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Heinrich	Padilla	Wyden
Hickenlooper	Paul	

#### NOT VOTING—1

Schatz

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 55, the nays are 44.

The 60-vote threshold having not been achieved, the bill does not pass.

The bill (S. 3436) was rejected.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I have a short announcement about the schedule.

Due to the circumstances regarding COVID and another potentially hazardous winter storm approaching the DC area this weekend, the Senate will adjourn tonight. However, we will be postponing recess so the Senate can vote on voting rights. We will return on Tuesday to take up the House-passed message containing voting rights legislation.

Make no mistake, the U.S. Senate will, for the first time this Congress, debate voting rights legislation beginning on Tuesday. Members of this Chamber were elected to debate and to vote, particularly on an issue as vital to the beating heart of our democracy as this one, and we will proceed.

If the Senate Republicans choose obstruction over protecting the sacred right to vote, as we expect them to, the Senate will consider and vote on changing the Senate rules, as has been done many times before, to allow for the passage of voting rights legislation.

I will close with this: If the right to vote is the cornerstone of our democracy, then how can we, in good conscience, allow for a situation in which the Republican Party can debate and

pass voter suppression laws at the State level with only a simple majority vote but not allow the U.S. Senate to do the same?

In the coming days, we will confront this sobering question, and every Member will go on record.

Finally, Members should expect that the next State work period would begin on the week of January 24.

#### NORD STREAM 2

Mr. President, now on Nord Stream, a few minutes ago the Senate voted against passing legislation proposed by Senator CRUZ to address Nord Stream 2.

Probably every single one of us in this Chamber agrees that the United States must be strong in confronting Putin and his destabilizing tactics in Eastern Europe and in Ukraine. But as my colleagues made clear this morning, Senator CRUZ's bill, in our opinion, is the wrong answer at this time to deter President Putin's aggression. I commend my colleagues who came to the floor to make the case against today's misguided proposal: my friends Chairman MENENDEZ, Senator SHAHEEN, who cochaired the Senate's NATO Observer Group, and Senator MURPHY.

After today's vote, this issue is not behind us. The work is not done. President Putin remains a threat, and we must address this matter.

I urge my colleagues on both sides of the aisle to work with Chairman MENENDEZ and Chairman BROWN to support Chairman MENENDEZ's comprehensive sanctions, security, and humanitarian aid package.

I believe the Menendez bill is the answer and an important step in the right direction. But, of course, I am willing to consider reasonable additions and modifications.

From interfering in elections to conducting a plethora of cyber attacks that target us here in the homeland, to what is happening today on the border of Ukraine, President Putin has left no doubt of his desire to stir up instability. His action with respect to Ukraine calls for a robust and severe deterrent action.

I hope my Republican colleagues will come forward and work with the chair so we can truly confront Putin's dangerous aggression.

#### MORNING BUSINESS

#### VOTE EXPLANATION

Mr. HAWLEY. Mr. President, had there been a recorded vote, I would have voted "No" on S. Res. 490, "a resolution recognizing the essential work of United States Capitol personnel on the anniversary of the insurrectionist attack on the United States Capitol on January 6, 2021."

I am grateful for the service of all Capitol personnel who come to work every day to help operate the workings of Congress and keep Members safe. However, this resolution has been written to score cheap partisan political points. It attacks Republicans for their

response to COVID-19, and it contains falsehoods, such as the incorrect assertion that the riot at the Capitol on January 6, 2021 was perpetuated by "violent insurrectionists." Not a single person from that day has been charged with the crime of insurrection. If we are going to honor Capitol Hill workers—and we should—we must do so in a manner that focuses on their service to their nation, not on false narratives that are meant to divide us.

I support Capitol personnel but oppose this resolution as written.

#### TRIBUTE TO ANDY BRUNELLE

Mr. CRAPO. Mr. President, along with my colleagues Senator JIM RISCH, Representative MIKE SIMPSON, and Representative RUSS FULCHER, I congratulate Andy Brunelle on his remarkable career in government service. Andy is retiring on January 31, 2022, after 27 years with the U.S. Forest Service.

For more than 20 years, Andy has worked with our offices in his position as the Capitol City Coordinator for the U.S. Forest Service. In this position, he has represented both the U.S. Forest Service Region 1 and Region 4 and the seven National Forests in Idaho as he has served as a liaison working with State and local government officials, agency directors, Idaho's Congressional Delegation and interest groups in Idaho on issues of statewide concern. Given the importance of the natural resources and species habitat on the more than 20 million acres of federal forested land in Idaho he has acted on behalf of, Andy has worked on many challenging issues over the years. This includes working closely with our delegation concerning improving and extending the Secure Rural Schools program, a vital resource for Idahoans. We thank him for his thoughtful, helpful, and pragmatic work for the betterment of our great State and country.

Andy began working for the U.S. Forest Service in 1995 after serving as Special Assistant for Natural Resources in the Office of Idaho Governor Cecil D. Andrus. From 1988 to 1995, he was the Governor's key staff person on a wide variety of natural resource issues, including challenging issues such as water quality, federal lands management, and protection of Snake River salmon. Additionally, he served on the Northwest Power Planning Council; Boise City Planning and Zoning Commission; and City of Boise advisory committees. Andy also dedicates considerable time to serving on boards of nonprofit organizations, including the Boise WaterShed Exhibits Environmental Education Center; Idaho Environmental Forum; Ted Trueblood Chapter of Trout Unlimited; and Harris Ranch Wildlife Mitigation Association.

As we wish Andy well in his well-earned retirement, we express our deep gratitude for dedicating so much of his time and talents to enhancing, sustaining, and conserving such an essential part of our State's treasures. Thank you, Andy, for your decades of

dedicated work and skilled problem-solving on behalf of Idahoans, and congratulations on your retirement.

#### REMEMBERING CALEB SHIELDS

Mr. TESTER. Mr. President, I would like to share a few words today to honor an outstanding leader and friend of mine who recently passed away.

Caleb Shields was the retired Chairman and former Councilman of the Assiniboine and Sioux Tribes of the Fort Peck Reservation in Montana.

We talk a lot about service in this body, but everyone in Congress could learn from how Caleb lived his life.

He dedicated himself to service—service to this country, where he served honorably in the United States Navy; service to his Tribe as an elected leader for 24 years and as one of their most tireless champions; and as the author of a 500-page book on his Tribe's history, he served the next generation of the Fort Peck Tribes and the next generation of Montanans who now have access to knowledge that won't ever be forgotten.

Caleb was widely regarded as one of the most influential Tribal leaders in the country during his tenure, a reputation that was well-earned. Among his many achievements are his successful 20-year fight to get a water pipeline and treatment center on the Fort Peck reservation. After they were built, they were both named in his honor, and for generations to come, the name Caleb Shields will continue to serve the Fort Peck Tribe.

Less widely known were the small ways that Caleb showed his love and devotion for the Fort Peck Tribe. I am told that Caleb could recite the record of the Poplar High School basketball team all the way back to the 1970s. Caleb was devoted to that team, and believed strongly that basketball could provide hope and momentum that could propel the dreams of future leaders.

Caleb's legacy, his friendship, and his leadership will be felt for generations. I want to express my deepest sympathy to Caleb's wife of 58 years, Yvonne, to the whole Shields family, and to the Fort Peck Tribes for the loss of this great leader. Caleb made our state and our Nation stronger, and he will never be forgotten.

#### ADDITIONAL STATEMENTS

#### REMEMBERING ROBERT J. O'BRIEN

• Mr. HAGERTY. Mr. President, Robert J. O'Brien, Sr., age 103, passed away on January 4, 2022. A native of Chicago, O'Brien returned home after serving in the Navy during the Second World War and graduated from DePaul University.

Soon after, Mr. O'Brien joined John V. McCarthy & Co., the predecessor of R.J. O'Brien & Associates, where he focused on client and business research. By 1959, Mr. O'Brien was named President of John V. McCarthy & Co. and, in